

**Massachusetts Board of Registration in Embalming and Funeral Directing
Public Session Minutes
Meeting of 4/11/17**

Held at
1000 Washington Street, Boston, MA, 02118
At 10:00 a.m.
Room 1D

Board Members Present:

Patrick Driscoll
Thomas O'Donnell
Paul Phaneuf
Peter Stefan

Staff Members Present:

Michael Hawley, Executive Director
Charles Kilb, Board Counsel
Robert Williams, Investigator

Members of the Public Present:

Jessica DeMilio
Martin A. Silva
Christine Quintal
Mark B. Silva
Erin Young
William R. Puckett
David A. Pickering
Andrew D. Pickering
Marta Castelo
Jeffrey Farley
Mark Chapman
Pamela Cobb
Emily Kozikowski
Jean Centillan
Doug Okaller
Josh Hunt
John Anderson
Leon M. Small
Cyrus Rogers

Paul Rogers
Kathy Cartmell-Sirrico
Bonnie Materas
Mark Materas
Theodore Kyriakides
Douglas Brill
John D. Anderson
John Maroni
David M. Chiampa
Ralph A. Barile, Jr.
George Doherty III
Sergey Petrik
Joseph Kozikowski
Francis Joyce
Kathleen Joyce
John Joyce
Aron McCabe
Douglas Bartlett

Call to Order

Mr. O'Donnell called the meeting to order at 10:00 a.m. Board staff reviewed building evacuation procedures and noted the location of restrooms.

Review of Minutes

The Board reviewed the minutes of the meeting held on February 14th, 2017.

Mr. Stefan moved, seconded by Mr. Phaneuf, to accept the minutes of the meeting held on February 14th, 2017.

Motion passed unanimously.

Report from Executive Director Michael Hawley

Mr. Hawley reported that the search for a new Associate Executive Continues.

Mr. Hawley also reported that the Board has received an application for certification as a Type 6 Embalmer and funeral Director for Michael McCormack who was licensed and trained in Canada. In order to become licensed in MA, Mr. McCormack must take the National Exam and, in order to do that, Massachusetts must certify that Mr. McCormack is qualified to be a candidate for licensure in the Commonwealth. The Board reviewed Mr. McCormack's credentials and considered whether, in this instance the training he received in Canada at Nova Scotia Community College was sufficiently equivalent to Board approved programs accepted in Massachusetts.

Mr. Stefan moved to accept the program completed by Mr. McCormack as substantially equivalent to the course of study required by the Commonwealth. Mr. Driscoll seconded. Motion passed by a majority vote.

Mr. Hawley will fill out the necessary approval form for Mr. McCormack to sit for the national exams.

Report from Legal Counsel, Charles Kilb

None.

Report from Christopher Carroll, Chief Investigator

Mr. Carroll was unable to attend the meeting, so no formal action was taken.

Frequently Asked Questions:

Mr. Kilb presented the Board with a draft of "frequently asked questions" pursuant to the Board's recently promulgated regulation changes.

Mr. Phaneuf moved to approve the draft for posting on the Board's web site. Mr. Stefan seconded the motion. The motion passed unanimously.

Request for advisory regarding flower sales:

The Board received a letter requesting and advisory opinion regarding the permissibility of a Funeral Establishment (either directly or through a third party vendor) selling flowers and "other memorial goods" via the establishment web site both to customers buying services and to customers not buying services. The board discussed the issue and indicated that a funeral establishment could act though a vendor, subject to other regulatory restrictions.

Mr. Phaneuf moved to authorize Board Counsel to respond. Mr. Stefan seconded the motion. The motion passed unanimously.

Executive Session [Closed Session pursuant to M.G.L. c. 30A, §21; M.G.L. c. 4, §7 (Twenty-sixth)(l); and M.G.L. c. 66A, §§1 to 3]

At 11:00 Mr. Stefan moved to go into executive session [Closed Session pursuant to M.G.L. c. 30A, §21 to consider the character, rather than competence of two applicants, to review exam questions from the Board's licensure examination, and to evaluate enforcement cases. Mr. Phaneuf seconded the motion. Motion passed by a roll call vote: Mr. Phaneuf: "Yes", Mr. Stefan: "Yes", Mr. O'Donnell: "Yes", and Mr. Driscoll: "Yes".

Mr. O'Donnell estimated that the open meeting would resume at 12:00 p.m.

See Separate minutes for Executive Session actions

Investigative Conference: Closed session pursuant to M.G.L. c. 112, § 65C

At 11:50 a.m., Mr. Phaneuf moved to suspend the open meeting and enter into investigative conference closed session pursuant to M.G.L. c. 112, § 65C, seconded by Mr. Driscoll. **The motion passed unanimously.**

At the end of the closed session, the open meeting resumed

During the closed session, the Board voted to take the following actions:

- 20160328EM019-IT-ENF – provided settlement guidance to prosecutor
- 20160613FE026-IT-ENF – provided settlement guidance to prosecutor (Mr. Stefan recused and left session).

Continuing Education Provider Applications:

The Board reviewed the following applications:

Kates-Boylston Publications

- Cremation Innovations Summit, Baltimore, MD

American Academy McAllister Institute of Funeral Service

- AAMI's Business Forum 2017, New York, NY

International Order of the Golden Rule

- 2017 Annual Conference & Supplier Showcase, New Orleans, LA

NFDA

- NFDA Arranger Training, Southington, CT
- Pursuit of Excellence, Online/Live Webinar
- NFDA Professional Women's Conference, Franklin, TN
- NFDA Certified Preplanning Consultant, Ashland, VA
- NFDA Certified Preplanning Consultant, Wheeling, IL
- NFDA Webinar Are You Really Ready to Grow? Online/Live Webinar
- NFDA Webinar 2017 Annual All-Staff Training, Online/Live Webinar
- Cremation Certification Program, Williamsburg, VA
- Cremation Certification Program, Birmingham, AL
- Cremation Certification Program, Greenwood, SC
- Cremation Certification Program-Lemoyne, PA
- Business Bullpen
- Cremation Certification Program-Kirkland, WA
- Cremation Certification Program-Indianapolis, IN
- Arranger Training Program-Bryan, TX
- Arranger Training Program-Laramie, WY
- Arranger Program-Edmond, Ok
- Arranger Training Program-Boston, MA
- Webinar-A Director's Toolkit to Grieving Children During Arrangement Conferences
- Cremation Certification Program-Boston, MA
- Arranger Training Program-Maryville, TN
- Arranger Training Program-Brookfield, WI

Kenmore Square Institute, LLC

- 2017 Continuing Education Program

A motion was made by Mr. Stefan, seconded by Mr. Driscoll, to accept the continuing education courses are presented.

Motion passed unanimously.

At 12:20 p.m. Mr. O'Donnell announced that the Board would adjourn for lunch. He stated that the Board would return at approximately 1:00 p.m.

Lunch Break

At 1:15 p.m. the public session resumed.

Application Review:

Initial Type-6 applicants - Review and vote on applications

The Board met with the following initial Type-6 applicants:

- Corrine Leary
- Pamela Cobb
- Marta Castelo
- Emily Kozikowski
- Leon Small
- Joshua Hunt
- Andrew Pickering
- Christine Quintal

Mr. Phaneuf moved to accept the above applicants with, seconded by Mr. Driscoll.

Motion passed unanimously.

New licensees were duly sworn in.

Downgrade Type-6 applicants - Review and vote on applications

The Board met with the following downgrade Type-6 applicants:

- George Doherty III

Mr. Phaneuf moved to accept the above applicant, seconded by Mr. Stefan.

Motion passed unanimously.

Apprentices – Review and vote on applications

The Board met with the following Funeral Apprentice applicants:

- Jessica Demilio
- John Joyce
- Kathleen Joyce
- Erin Young

Mr. Phaneuf moved to accept the above applicants, seconded by Mr. Driscoll.

Motion passed unanimously.

Funeral Assistants, First Time - Review and vote on applications

The Board met with the following Funeral Assistant applicants:

- John Anderson
- Douglas Brill
- Theodore Kyriakides
- John Maroni
- Mark Materas
- Aron McCabe
- David Perrault
- Sergey Petrik

Mr. Phaneuf moved to accept the above applicants, seconded by Mr. Driscoll.

Motion passed unanimously.

James Smith did not appear at the meeting. His application will be considered at a future Board meeting.

Funeral Assistants (Transition from Apprentice)- Review and vote on applications

Stephen Richmond was not present at the meeting. His application will be considered at a future Board meeting.

Reinstatement application

Daniel Casali was not present at the meeting. His reinstatement request will be considered at a future Board meeting.

Funeral Establishment Certificate Application

The Board met with David Chiampa, seeking an establishment certificate for the Heald and Chiampa Funeral Home located at 5 Church Road, Shrewsbury. All application materials were in order.

Mr. Stefan moved to grant Heald and Chiampa Funeral Home an establishment certificate, seconded by Mr. Phaneuf.

Motion passed unanimously.

Quasi-Judicial Session [Closed session pursuant to G.L. c. 30A §18, 5(d)]:

At 2:00 p.m. Mr. Phaneuf move to go into Quasi-Judicial session [Closed session pursuant to G.L. c. 30A §18, 5(d)] To consider a final decision and order in a disciplinary case. Mr. Stefan seconded. Motion passed unanimously.

At the end of the Quasi-Judicial session the open meeting resumed.

During the Quasi-Judicial session the Board voted to take the following action:

- EM 20160128EM015-IT-ENF – issue final decision and order.

Executive Session [Closed Session pursuant to M.G.L. c. 30A, §21; M.G.L. c. 4, §7 (Twenty-sixth)(1); and M.G.L. c. 66A, §§1 to 3]

At 2:15 Mr. Phaneuf moved to go into executive session [Closed Session pursuant to M.G.L. c. 30A, §21 to review exam questions from the Board's licensure examination. Mr. Stephan seconded the motion. Motion passed by a roll call vote: Mr. Phaneuf: "Yes", Mr. Stefan: "Yes", Mr. O'Donnell: "Yes", and Mr. Driscoll: "Yes". Mr. O'Donnell estimated that the open meeting would resume at 3:30 p.m.

See Separate minutes for Executive Session actions

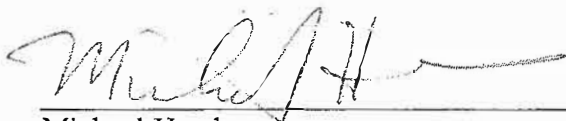
Adjournment

At 4:00 p.m. Mr. Stefan moved, seconded by Mr. Driscoll to adjourn the meeting. **Motion passed unanimously.**

List of Documents used at the meeting:

1. Agenda
2. Minutes from meeting held on February 14th, 2017
3. Applications for personal registration
4. Establishment certificate application
5. Continuing education provider applications
6. Request for advisory
7. Transcript for Michael McCormack from Nova Scotia Community College

Respectfully submitted,



Michael Hawley
Executive Director